Attorney's Docket No. <u>016800-445</u> Application No. <u>09/881,686</u> Page 1

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Sandrine SEGURA et al.

Application No.: 09/881,686

Filed: June 18, 2001

For: OW EMULSIONS COMPRISING

MICRONIZED BIOLOGICALLY

ACTIVE AGENTS

Group Art Unit: 1617

Examiner: Lauren Q. Wells

Confirmation No.: 9187

### AMENDMENT AND REPLY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In complete response to the Official Action mailed September 29, 2003 (Paper No. 20), Applicants request amendment of the instant application as follows.





#### Facsimile Cover

Burns, Doane, Swecker & Mathis, L.L.P. Suite 500

1737 King Street

Alexandria, Virginia 22314-2727 Telephone: +1.703.836.6620 Group 3 Fax +1.703.836.2021 Group 4 Fax +1.703.836.0028

www.bumsdoane.com

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Date: June 24, 2004

TO:

Examiner Lauren Wells

Fax Number:

571-273-0634

Company:

**USPTO** 

Telephone:

571-272-0634

Your Reference:

Application No. 09/881,686

FROM:

Erin M. Dunston

Telephone:

703.838.6526

Our Reference:

016800-445

Sent By:

Jennifer Ackelson

Number of Pages

52 Including Cover:

Message

Dear Examiner Wells:

Attached are COURTESY copies of the Amendment and Reply filed March 29, 2004, and the Supplemental Amendment and Reply filed June 22, 2004. If you have any questions regarding these submissions, please call me

Sincerely,

BURNS DOANE SWECKER & MATHIS, LLP

rin M. Dunston

#### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent by facsimile transmittal to Examiner Wells at the U.S. Patent and Trademark Office, at facsimile number 571-273-0634, on June 24, 2004.

fer Agkelson

1

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	Patent Resp	ponse Postcard	• •	
Inventor: Sandrine SEGURA et al.		A1: M- A-:	Filing	
Docket No.: 016800-445	Working Atty.:	_ Appln. No.: _ 09/881.		June 18, 2001
Dkt. Clerk Initials		EMDunston	Date: _	March 29, 2004
The following was/were red	eived in the U.S. Patent	and Tradoused ore		
★ Amendment or Response			n the date stamp	ed hereon:
Prefiminary Amendment	Executed Declaration/I	Ower of Attorney	Request for Cor	rected Filing Receipt
Amendment/Reply Transmittal Letter	Assignment/Assignment Cover Sheet (PTO-159	nt Record <i>ation Form</i>	WPDODY of Official	al Filing Receipt
Petition for Three Month Extension of Time	Submission of Certified	Conv of Princip Community	Check for \$	ification (clean/marked copies)
Submission of Formal Drawings w/	An Cestilled COD	y(tes)	Check for \$	is enclosed
sheet(s) of drawings (Fig(s). 1)	Information Disclosure	Statement Transmittal		50.00 to Deposit Account
Request for Approval of Drawing Changes w/ sheet(s) of red ink drawings	Information Disclosure	Statement w/ document(s)	Charge \$	to expet earl. From
Notice of Appeal	Reguest for Corrected A	Infine of Population of	PTO-2038 is atta	arhed _
Brief for Appellant	Assignment w/Copy of I	Notice .		re of mail
Request for Oral Hearing Reply Brief	Issue Fee Transmittal			100
Response to Restriction Requirement or Election of Spe	Status Inquiry			11.6%
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Certificate Under 37 C.F.R. 3.73(b)	Debroit Account	nd Authorization to charge	EAM )	2 9 2004
Transmittal Letter for Missing Parts of Application	Request for Refund			. <b>\$</b> }
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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	In re Patent Application of Sandrine SEGURA et al. Application No.: 09/881,686 Filing Date: June 18, 2001 Title: O/W EMULSIONS COMP	Group Art Unit: 1617 Examiner: Lauren Q. Wells Confirmation No.: 9187 PRISING MICRONIZED BIOLOGICALLY ACTIVE AGENTS
	AA	MENDMENT/PEDI V TDAMAN
	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	MENDMENT/REPLY TRANSMITTAL LETTER
;	Sir:	
<u> </u>	Enclosed is a reply for the above-io	ne is also enclosed.
_	Disclaimer due under 37 C.F.F	mer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per
Ĺ,	Also enclosed is/are	
	Small entity status is hereby cla	imed .
	Applicant(s) requests constant	examination under 37 C.F.R. § 1.114 and enclose the (1801) fee due under 37 C.F.R. § 1.17(e).
	Applicant(s) requests that	1.17(e).
	Continued examination is reques	previously unentered after final amendments <u>not</u> be entered.  Steed based on the enclosed documents identified above.
اسا	Applicant(s) previously submitted	d
	on	
	for which continued examination	is requested.
	Applicant(s) requests suspension which does not exceed the	of action by the Office until at least with 37 C.F.R. § 1.17(i) is enclosed.
	A Request for Entry and Consider enclosed.	nation of Submission under 37 C.F.R. § 1.129(a) (1809/2809) in plan
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PACE 4/52 \* RCVD AT 6/24/2004 10:36:09 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/55 \* DNIS:2730634 \* CSID:703+836+2021 \* DURATION (mm-ss)

Attorney Docket No.	016800-448
Application No.	

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below.

		A	MĖ	NDI	ED CLAIMS		
	No. of Claims	Highe of CI Previo	aims oush	; /	Extra Claims	Rate	Additional Fee
Total Claims	84	MINUS	84	п	0	x \$18.00 (1202) =	
Independent Claims	7	MINUS	7		0		\$ 0.00
if Amendment adds m	ultiple depen	dent claim	s, ad	d \$		x \$86.00 (1201) =	\$ 0.00
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Small Entity Stat	us claimed -	subtract 50	296		tal Claim Amendr		\$ 0.00
						nent Fee	\$ 0.00
TOTAL ADDITIONAL	CLAIM FEE	DUE FOR	THIS	S An	MENDMENT		\$ 0.00

Ц	A check in the amount of	is enclosed for the fee due.
	Charge to Dep	Posit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620

Date: March 29, 2004

Erin M. Dunstor

Registration No. 51,147

Attorney's Docket No. <u>016800-445</u> Application No. <u>09/881,686</u> Page 1

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Sandrine SEGURA et al.

Application No.: 09/881,686

Filed: June 18, 2001

For: O/W EMULSIONS COMPRISING MICRONIZED BIOLOGICALLY ACTIVE AGENTS

Coroup Art Unit: 1617

Examiner: Lauren Q. Wells

Confirmation No.: 9187

### SUPPLEMENTAL AMENDMENT AND REPLY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Further to Applicants' Amendment and Reply filed March 29, 2004, and in further response to the Official Action mailed September 29, 2003 (Paper No. 20), Applicants request supplemental amendment of the instant application as follows.

6-22-04 6-22-04

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	:	Patent Resi	ponse Postčard	the second section of the section of the second section of the section of the second section of the se	, <b>1 –</b> 7
	Inventor: Sandrine Segura et al.		- Catcard		41
	Docket No.: 016800-445	Market	Appin. No.:09/881	Filing 1.686 Date:	June 18, 2001
	Dkt. Clerk Initials	Working Atty.:	EMD/jka	Date;	June 22, 2004
	The following was/were recommend was/were recommend was/were recommend with a finite was a finit	Executed Declaration/F  Assignment/Assignmen Cover Sheet (PTO-159: Submission of Certified W	Power of Attorney at Recordation Form 5) Copy of Priority Document y(ies) Statement Transmittal Citation (PTO-1449) Statement w document(s) totice of Recordation of totice examination  Drawings at Authorization to charge	Request for widcopy of O Substitute S Check for \$ Check for \$ Charge \$ PTO-2038 is Filed by Cert	Corrected Filing Receipt  Afficial Filing Receipt  Appellication (clean/marked copies)  is enclosed  is enclosed  to Deposit Account

PAGE 30/52 \* RCVD AT 6/24/2004 10:36:09 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/25 \* DNIS:2730634 \* CSID:703+836+2021 \* DURATION (mm-ss):11-52

		Attorney Docket No	Patent 016800-445
	IN THE L	NITED STATES PATENT AND TRADEMARK OFFICE	
S F	n re Patent Application of Sandrine Segura et al. Application No.: 09/881,686 illing Date: June 18, 2001 itle: O/W EMULSION COMPR	Group Art Unit: 1617 Examiner: LAUREN Q WELLS Confirmation No.: 9187 ISING MICRONISED BIOLOGICALLY ACTIVE AGENTS	
	A	MENDMENT/REPLY TRANSMITTAL LETTER	
P.	ommissioner for Patents .O. Box 1450 exandria, VA 22313-1450		
Si	r:	:	
Er	nclosed is a reply for the above-	dentified patent application.	
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	Terminal Discla	iments) and the III ass so that the	
	Also enclosed is/are	) 2= 2(c) are \$120 elicio\$60'	
	Small entity status is hereby of		
	Applicant(s) requests continue \$385.00 (2801) \$770.0	ed examination under 37 C.F.R. § 1.114 and enclose the 0 (1801) fee due under 37 C.F.R. § 1.17(e).	
		previously unentered after final amendments not be entered. ested based on the enclosed documents identified above.	
<u>:_</u> ;	Applicant(s) previously submitt	ed	
	on	on is requested.	
I	TO THE PROPERTY OF THE PROPERT	on of action by the Office until at least nonths from the filing of this RCE, in accordance with 37 C.F.R. nder 37 C.F.R. § 1.17(i) is enclosed.	<del></del> . <sup>v</sup>
	A Request for Entry and Considenciosed.	deration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) i	s also AB

BURNS DOANE

AMENUMEN I/REPLY TRANSMITTAL LETTER

Page 1 of 2 (3/04) PACE 32/52 \* RCVD AT 6/24/2004 10:36:09 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/25 \* DNIS:2730634 \* CSID:7034836+2021 \* DURATION (mm-ss)-1-52

Attomey Docket No.	016800-445
Application No.	09/881 686

No additional claim fee is required.

ų.	An additional claim fee is r	equired, and is calculated as shown below.
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		A	MEN	וסו	ED CLAIMS		
	No. of Claims	Highe of CI Previo Paid	aims ously	•	Extra Claims	Rate	Additional Fee
Total Claims	43	MINUS	84	-	0	x \$18.00 (1202) =	0.0.0
Independent Claims	6	MINUS	7	=	0		\$ 0.00
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Small Entity Stat	us claimed - :	subtract 50	)% of	Tot	al Claim Amendo	nent Fee	\$ 0.00
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TOTAL ADDITIONAL	CLAIM FEE	DUE FOR	THIS	A	MENDMENT		\$ 0.00

A check in the amount of	is enclosed for the fee due
Charge to D	sposit Account No. 02-4800.
	redit card. Form PTO-2038 is attached

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted.

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620

Date: June 22, 2004

Ech M. Dunston

Registration No. 51,147

BURNS DOANE
BURNS DOANE SWEDTER & MATHIS LIP
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